

1 SCOTT+SCOTT LLP  
Mary K. Blasy (211262)  
2 Anne Box (224354)  
707 Broadway, Suite 1000  
3 San Diego, CA 92101  
Telephone: 619/233-4565  
4 619/233-0508 (fax)  
abox@scott-scott.com  
5

6 *Attorney for Plaintiff Saginaw Police &*  
7 *Fire Pension Fund*

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 SAGINAW POLICE & FIRE PENSION FUND,  
12 Derivatively on Behalf of HEWLETT-PACKARD  
13 COMPANY,

14 Plaintiff,

15 vs.

16 MARC L. ANDREESSEN, LAWRENCE T.  
BABBIO, SARI M. BALDAUF, RAJIV L.  
17 GUPTA, JOHN H. HAMMERGREN, MARK V.  
HURD, JOEL Z. HYATT, JOHN R. JOYCE,  
18 ROBERT L. RYAN, LUCILLE S. SALHANY,  
and G. KENNEDY THOMPSON,

19 Defendants,

20 -and-

21 HEWLETT-PACKARD COMPANY,

22 Nominal Defendant.  
23  
24  
25  
26  
27  
28

Civil Action No: 5:10-CV-4720-EJD

**STIPULATION AND ~~PROPOSED~~  
ORDER TO ESTABLISH BRIEFING  
SCHEDULE FOR MOTIONS TO  
DISMISS**

Courtroom: Courtroom 1, 5th Floor  
Judge: Hon. Edward J. Davila

Trial Date: Not Yet Set

1 Plaintiff Saginaw Police & Fire Pension Fund (“Saginaw”) and Defendants Marc L.  
2 Andreessen, Lawrence T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Joel Z.  
3 Hyatt, John R. Joyce, Robert L. Ryan, Lucille S. Salhany and G. Kennedy Thompson (the “Director  
4 Defendants”), Mark V. Hurd (“Hurd”) and Nominal Defendant Hewlett-Packard Company (“HP”)  
5 stipulate as follows:

6 **WHEREAS**, Plaintiff Saginaw filed this action captioned *Saginaw Police & Fire Pension*  
7 *Fund v. Marc L. Andreessen* (Case No. 5:10-CV-4720) in this Court on October 19, 2010;

8 **WHEREAS**, HP and the Director Defendants each filed motions to dismiss on August 15,  
9 2011;

10 **WHEREAS**, Hurd filed a motion to dismiss on August 19, 2011;

11 **WHEREAS**, under the local rules, Saginaw’s deadline for filing its briefs in opposition to  
12 the motions to dismiss filed by HP and the Director Defendants is August 29, 2011;

13 **WHEREAS**, under the local rules, Saginaw’s deadline for filing its brief in opposition to the  
14 motion to dismiss filed by Hurd is due on September 2, 2011;

15 **WHEREAS**, counsel for Saginaw has represented that, in light of Defendants’ motion to  
16 dismiss papers and counsel’s responsibilities in other legal matters, it would be unduly burdensome  
17 for Saginaw to submit its opposition briefs within the time period currently provided;

18 **WHEREAS**, Defendants consent to an extension of time for Saginaw to file its opposition  
19 briefs on the condition that their time to file their reply briefs is extended by two weeks from one  
20 week for a total of three weeks

21 **WHEREAS**, this is the first application to change the briefing schedule for Defendants’  
22 motions to dismiss;

23 **WHEREAS**, the proposed briefing schedule does not appear to require changes to any other  
24 deadline set by the Court in this case;

1           **NOW, THEREFORE**, the parties agree as follows:

2                   1.       Plaintiff Saginaw shall file its briefs in opposition to the motions to dismiss on  
3 or by September 19, 2011.

4                   2.       HP, the Director Defendants, and Hurd shall file their reply briefs on or by  
5 October 11, 2011.

6 DATED: August 24, 2011                   SCOTT+SCOTT LLP

7  
8   /s/ Anne Box

ANNE BOX

9  
10   707 Broadway, Suite 1000  
11   San Diego, CA 92101  
12   Telephone: 619/233-4565  
13   619/233-0508 (fax)

14   *Attorney for Plaintiff Saginaw Police &*  
15   *Fire Pension Fund*

16           I, Anne Box, am the ECF User whose ID and password are being used to file this  
17 STIPULATION AND [PROPOSED] ORDER TO ESTABLISH BRIEFING SCHEDULE FOR  
18 MOTIONS TO DISMISS. In compliance with General Order 45, X.B., I hereby attest that each of  
19 the three signatories below has concurred in this filing.

20 DATED: August 24, 2011                   ALLEN MATKINS LECK GAMBLE MALLORY &  
21   NASTIS LLP

22   /s/ Lawrence D. Lewis

LAWRENCE D. LEWIS

23   1900 Main Street, 5th Floor  
24   Irvine, CA 92614  
25   Telephone: 949/553-1313  
26   949/553-8354 (fax)

27   *Attorneys for Defendant Mark V. Hurd*  
28

1 DATED: August 24, 2011

MORGAN, LEWIS & BOCKIUS LLP

2  
3 /s/ Marc Sonnenfeld

MARC SONNENFELD

4 1701 Market Street  
5 Philadelphia, PA 19103-2921  
6 Telephone: 215/963-5000  
215.963.5001 (fax)

7 *Attorneys for Nominal Defendant Hewlett-Packard*  
8 *Company*

9 DATED: August 24, 2011

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

10 /s/ James E. Lyons

JAMES E. LYONS

11 525 University Avenue  
12 Suite 1100  
13 Palo Alto, CA 94301  
14 Telephone: 650/470-4500  
650/470-4570 (fax)

15 *Attorneys for Defendants Marc L. Andreessen, Lawrence*  
16 *T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H.*  
17 *Hammergren, Joel Z. Hyatt, John R. Joyce, Robert L.*  
18 *Ryan, Lucille S. Salhany and G. Kennedy Thompson*

19 PURSUANT TO STIPULATION, IT IS SO ORDERED:

20 Dated: August 26, 2011



21 Hon. Edward J. Davila  
22 United States Judge  
23 Northern District of California  
24  
25  
26  
27  
28